

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SA CV 12-0943-DOC(RNBx)
LA CV 12-5654-DOC(RNBx)

Date: August 31, 2012

Title: NATIONAL UNION FIRE INSURANCE COMPANY ET AL. V. MGA ENTERTAINMENT INC. ET
AL.; EVANSTON INSURANCE COMPANY V. MGA ENTERTAINMENT INC. ET AL.

PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Julie Barrera
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

NONE PRESENT

NONE PRESENT

PROCEEDING (IN CHAMBERS): ORDER STAYING CASE 12-0943 AND DISCHARGING
ORDER TO SHOW CAUSE

This Court previously ordered Plaintiffs to show cause why the following two cases should not be combined and provided Defendants an opportunity to respond: (1) *National Fire Insurance Company et al. v. MGA Entertainment Inc. et al.*, SA CV 12-0943-DOC(RNBx) (“12-0943 case”); and (2) *Evanston Insurance Company v. MGA Entertainment Inc. et al.*, SA CV 12-5654-DOC(RNBx) (“12-5654 case”). See August 20, 2012, Minute Order (Dkt. 14). In that Order, the Court explained that a failure to file a response by certain deadlines would be deemed consent to consolidating these cases and that the Court would consolidate if no party objected.

The Court DISCHARGES the Order to Show Cause. The Court SCHEDULES a status conference on **October 1, 2012, at 1:30 p.m.** for both the 12-943 and 12-5654 cases to revisit the issue of whether these two cases should be combined. The Court STAYS the 12-943 case pending the outcome of that status conference.

I. Case 12-5645

In both its written response and at a status conference on August 24, 2012, Defendant Mattel Entertainment Inc. (“Defendant Mattel”)—a Defendant in the 12-5654 case—opposed consolidation to the extent it would delay the Court’s ruling on Defendant Mattel’s recently-filed motion to dismiss and may require Defendant Mattel’s counsel to withdraw to avoid a conflict of

interest. *See* Mattel Response (CV 12-5654 Dkt. 16). As discussed at the August 24, 2012, status conference, the Court agrees with Defendant Mattel that judicial efficiency will be served by the Court ruling on Defendant Mattel's motion to dismiss prior to consolidation.

Defendant Mattel's motion to dismiss is scheduled to be heard on September 24, 2012. *See* Motion to Dismiss Mattel (CV 12-5654 Dkt. 17). Accordingly, the Court SCHEDULES a status conference on **October 1, 2012, at 1:30 p.m.** to revisit the issue of whether these two cases should be combined.

II. Case 12-0943

At the status conference on August 24, 2012, all the parties in *National Fire Insurance Company et al. v. MGA Entertainment Inc. et al.*, SA CV 12-0943-DOC(RNBx) ("12-0943 case") consented to that case being stayed pending consolidation with the 12-5654 case. Accordingly, this Court STAYS the 12-0943 case.

The Clerk shall serve a copy of this minute order on counsel for all parties in this action.